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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK DIVISION**

In re:

AMERICAN LIMOUSINE LLC,

Debtor.

Case No.: 21-10121-SLM

Chapter 11 (Subchapter V)

Hearing Date: March 15, 2022

Hearing Time: 11:00 a.m.

Judge: Honorable Stacey L. Meisel

**OBJECTION TO NOTICE OF INTENTION TO CLOSE**

**TO: THE HONORABLE STACY L. MEISEL, UNITED STATES BANKRUPTCY JUDGE**

Creditors Joselito R. Dela Cruz and Jeff Pangilinan on behalf of themselves and all those similarly situated (the "Class Claimants") hereby object to the proposed closure of this chapter 11 case, as follows:

1. Class Claimants filed proof of claim number 53-1 in the amount of \$950,000. The claim is unsecured and is based on a settlement of certain litigation styled *Dela Cruz v. Addison Lee, Inc., et al*, Case No. RG19021433, in the Superior Court of California, County of Alameda (the "Class Claim").

2. The Debtor's "First Modified Small Business Debtor's Plan of Reorganization" (the "Plan") was confirmed by order of this Court entered on July 14, 2021 [Dkt. No. 249].

3. The Class Claim is part of the general unsecured claims in Class 13 under the Plan. *See* Plan, Section 2.2.C, pg. 24, annexed to the confirmation order.

4. Under the Plan, Class 13 creditors are to start receiving payments on the first day of the third month after all administrative claims have been paid, and then quarterly thereafter. *Id.*

5. No payments have been made to unsecured creditors under the Plan since confirmation of the Plan. *See* Report of Distributions under Confirmed Chapter 11 Plan filed on January 12, 2022 [Dkt. No. 266] (the "Distributions Report"), pgs. 1 – 2.

6. Despite the required payments to be made under the Plan as set forth in the projections annexed to the Plan as Exhibit "U" (Plan, pgs. 166 – 169), the Debtor recently stated that the anticipated date of the next distribution is "unknown". Distributions Report, pg. 1.

7. On February 17, 2022, the Clerk of this Court issued a "Notice of Intention to Close Case Pursuant to D.N.J. LBR 3022-1(a)" [Dkt. No. 270]. The Notice states that the intended closing date is on or after March 18, 2022.

8. Due to the fact that unsecured creditors have not yet received any distributions in this case, and the Debtor does not know when the next distribution shall be made under the Plan, a closure of this bankruptcy case is premature at this time. Further, if the case is closed, the Debtor will likely be relieved of its monthly or quarterly reporting obligations under the Plan. *See* Plan, pg. 30, Section 2.8. Absent these reports, Class 13 creditors will not be able to monitor the Debtor's compliance with the Plan, will have no idea when to expect distributions, and will be unable to effectively assert their right to payment under the Plan.

9. Due to the foregoing, this case should remain open, and the Debtor's reporting obligations under the Plan should continue to at least such time that Class 13 unsecured creditors receive their initial distribution under the Plan. Therefore, the Class Claimants request that proposed date to close this case should be continued to a date that is after the initial distribution to

Class 13 unsecured creditors, allowing a reasonable time to determine whether closure is appropriate at that time.

Dated: March 9, 2022  
New York, New York

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Dated: March 9, 2022  
Los Angeles, California

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